

ORDINANCE NUMBER 15

AN ORDINANCE OF THE TOWNSHIP OF MARION, CENTRE COUNTY,  
PENNSYLVANIA, RESTRICTING THE HEIGHT OF VEGETATION;  
PROVIDING FOR ABATEMENT OF ANY SUCH VEGETATION AS A  
NUISANCE; AND PRESCRIBING PENALTIES FOR VIOLATION.

Be it enacted and ordained by the Township of Marion,  
Centre County, Pennsylvania, and it is hereby enacted and ordained  
by authority of the same as follows:

SECTION ONE; Vegetative Growth a Nuisance Under Certain  
Conditions. No person, firm or corporation, owning or occupying  
any property within the municipal limits of the Township of Marion  
in the following zoning classifications of Marion Township Zoning  
Ordinance:

R-2 Residential - Low Density District

C-1 Commercial - General District

C-2 Planned Commercial District

1-1 Industrial - Research and Development

Open Space

shall permit any grass or weeds or any vegetation whatsoever, not  
edible or planted for some useful or ornamental purpose, to grow or  
remain upon such premises so as to *exceed* a height of six (6)  
inches, or to throw off any unpleasant or noxious odor, or to  
conceal any filthy deposit, or to create or produce pollen. Any  
grass, weeds or other vegetation growing upon any premises in the  
Township of Marion in violation of any of the provisions of this  
section is hereby declared to be a nuisance and detrimental to the  
health, safety, cleanliness and comfort of the inhabitants of the  
Township of Marion.

SECTION TWO: Farming and Wooded Area Exceptions. The provisions of this Ordinance shall not be applicable to premises owned, occupied, or possessed existing in R-1 - Agricultural District, unless homes in such district are existing within 300 feet of each other, in which case the Ordinance is applicable to the curtilage area about such residences. The provisions of this Ordinance shall also not be applicable to wooded areas which are uninhabited.

SECTION THREE; Responsibility for Removing, Cutting or Trimming. The owner of any premises, or the occupant of premises occupied by other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of the provisions of Section 1.

SECTION FOUR; Notice to Remove, Trim or Cut; Municipality May Do Work and Collect Cost and Additional Amount. The Township of Marion, or any officer or employee of the Township designated thereby for this purpose, is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any premises whereon grass, weeds, or other vegetation is growing or remaining in violation of the provisions of Section 1 of this Ordinance, directing and requiring such occupant to remove, trim or cut such grass, weeds or vegetation so as to conform to the requirements of this ordinance, within five (5) days after issuance of such notice.

Whenever, in the judgment of the Enforcement Officer or Inspector of the Township it shall appear to be impracticable to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or

occupant would entail unreasonable delay, the Township or any officer or employee of the Township designated thereby for that purpose, may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within seven (7) days. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the Township may order the removal, trimming, or cutting or such grass, weeds or vegetation, and the cost thereof, together with a penalty of ten percent (10%) of the cost thereof shall be collected by the Township from such person, firm or corporation, in the manner provided by law.

SECTION FIVE: Penalties for Violation. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof of any summary proceeding, be sentenced to pay a fine not more than three hundred dollars (\$300.00), and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Ordinance continues after notice shall constitute a separate offense.

SECTION SIX; Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.


SECTION SEVEN; Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this

Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION EIGHT: Effective Date. This Ordinance shall become effective five (5) days after adoption.

ATTEST:

TOWNSHIP OF MARION



Jinda O'Neil  
10-9-89

William E. O'Donald  
Archie B. Gettz  
Richard E. Lutz